



NEWS

Federal Communications Commission
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
May 9, 2002

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FCC AND CINGULAR WIRELESS LLC ENTER INTO \$100,000 CONSENT DECREE REGARDING E911 RULES

Washington, D.C. – A unanimous Commission has adopted an Order approving a consent decree terminating the investigation into possible violations of the enhanced 911 (E911) Phase II rules by Cingular Wireless LLC (Cingular Wireless). As part of the consent decree, Cingular Wireless has agreed to make a voluntary contribution in the amount of \$100,000 to the U.S. Treasury.

In addition to the \$100,000 voluntary contribution to the U.S. Treasury, Cingular Wireless has committed to a timeline for deployment of its network-based location technology on its Time Division Multiple Access (TDMA) network and to make automatic payments to the U.S. Treasury should it fail to meet the deployment benchmarks set forth in the consent decree. Cingular Wireless has also agreed to submit Quarterly Reports to the Commission on its progress and compliance with the terms and conditions of the consent decree and the E911 Phase II rules.

On July 6, 2001, Cingular Wireless filed a request for waiver of the E911 Phase II rules in which it proposed to use a switch-based location technology for its TDMA network. On July 24, 2001, Cingular Wireless withdrew its request for waiver with respect to its TDMA network. On August 30, 2001, Cingular Wireless resubmitted a waiver request and compliance plan for its TDMA network, using TruePosition's network-based solution. Because the timing of Cingular's proposal for its TDMA network did not permit Commission consideration prior to the October 1, 2001 deadline to begin deployment of network-based technologies, the Commission referred the matter to the Enforcement Bureau for possible enforcement action.

Action by the Commission on May 2, 2002 by Order (FCC 02-132). Chairman Powell and Commissioners Abernathy, Copps and Martin issuing a joint statement.

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**JOINT STATEMENT OF
CHAIRMAN MICHAEL K. POWELL AND COMMISSIONERS KATHLEEN Q.
ABERNATHY, MICHAEL J. COPPS AND KEVIN J. MARTIN**

RE: Cingular Wireless LLC.

We support today's Order adopting a Consent Decree terminating the investigation into possible violations of the Commission's Phase II E911 rules by Cingular Wireless. It is critically important that all the participants in our quest for full Phase II E911 compliance do their part to move forward in protecting American consumers. For carriers this means meeting the benchmarks and deadlines set by the Commission. For Public Safety Answering Points this means equipping facilities so that they are prepared to receive Phase II information as quickly as possible. For the Commission this means enforcing our mandates.

In order to meet our responsibility the Commission must therefore be consistent and steadfast, as we have been here. We commend the Enforcement Bureau and Cingular Wireless for their hard work in negotiating a consent decree that will accelerate the pace of American consumers receiving the public safety benefits of Phase II E911. We also want to thank the public safety community for their ongoing input on E911 implementation, which has been invaluable at every stage of this process.